

MINUTES

Corporation No 143

Date: *19/03/2019*
(Tuesday)

Time:

18:00–20:00

Venue: *FITT Conferece*
Room

Committee:

Corporation

Notes: *Refreshments will be available from 5.30pm*

Present: *Alison Robinson (Principal), Allan Foster (Vice Chairman), Barbara Godby, Debbie Clayton, Gerry Corless, Irene Ainsworth, Jane Booker, Karen Birchall, Louise Bell, Richard Furnival and Stuart Heys (Chairman)*

Attending: *John Wherry (Deputy Principal), Richard Morris (Deputy Principal) and Steven Downham-Clarke (Vice Principal)*

Clerks: *Ron Matthews (Clerk) and Susan Robinson (Deputy Clerk)*

Apologies: *David Hall, Garry Payne, Ian Higginbotham and John Morphet*

Public Minutes

Item
number:

Item description:

01.19
Decision

Attendance of Co-opted Governor and College Management

Standing Order 13 states that:

As a matter of policy all meetings of the Corporation and its Committees will be held in private. The agendas and minutes and supporting papers of its public business will be made available to the general public.

However:

(a) The Principal shall be authorised to invite members of staff to attend in their employed capacity for both public and confidential business as appropriate and in accordance with Standing Order 25.

(b) The Corporation however, may exclude members of staff from attending any business that it deems necessary.

(c) Attendance by other persons shall be at the discretion of the Corporation following advice from the Principal or Clerk.

Resolved:

That Management attend the public and confidential parts of the meeting.

02.19
Record

Apologies for Absence

Apologies for absence had been received from Ian Higginbotham, John Morphet, Garry Payne and David Hall.

Allan Foster left the meeting after discussion of the first two papers of item 24.19 on the confidential agenda.

03.19
Record

Declarations of Interest

There were no declarations of interest made in respect of items on the public agenda.

04.19 ***Minutes of Previous Meeting***

Decision

The minutes of meeting number 142 held on Tuesday 11 December 2018, published on the extranet, were signed and agreed as a true and correct record of the meeting.

05.19 ***Chair Update***

Decision

The Chair welcomed all to the meeting and in view of a full agenda directed proceedings to continue as matters would be discussed throughout the meeting.

06.19 ***Correspondence***

Decision

Corporation gave consideration to two items of correspondence.

Annual Report from Richard Atkins, FE Commissioner.

The report summary indicated timely support had been available to Colleges and good use made of the newly introduced diagnostic assessments. Eight Colleges went into formal intervention compared to 20 colleges last year.

The FE Commissioner advised that, 'Colleges needed to ensure they had a costed curriculum plan, setting out margins by course, and boards need clear and accurate management information to support this. The board should have a clear focus on teaching, learning and assessment, and have a clear mission that the organisation understands, which provides context for all board decisions. Colleges need to be realistic, particularly about forecasted revenue, and have the right expertise to do this, and governors need to have the strength and expertise to challenge robustly.'

Funding for academic year 2019 to 2020 for people aged over 16

The explanatory letter from Peter Mucklow, National Director for Young People, Education and Skills Funding Agency contained information on the different levels of funding, timelines, rates, and associated developments.

Resolved:

That the correspondence be received.

07.19 ***Corporation Vacancies***

Decision

Following an interview Higher Education student, Ryan Clusky had been proposed as a Student Governor.

Two Further Education students were due to be interviewed to fill the second student governor position on the Board.

The vacancy to fill the Teaching Representative Governor had been advertised and two candidates nominated. Louise Bell from Animal Studies had won the subsequent election.

It was proposed to move the Support Staff Governor, Debbie Clayton, from Finance and Resources Committee to Quality and Standards Committee. Debbie had originally been appointed to Audit & Governance Committee but moved to Finance & Resources Committee as the Board adhered to guidance to restrict membership to independent governors.

Following due consideration it was resolved that:

- 1. Ryan Clusky be appointed as student Governor for the remainder of the academic year.**
- 2. That Louise Bell be appointed as teaching staff Governor for a four year term.**
- 3. That Debbie Clayton move from Finance & Resources Committee to serve on Quality & Standards Committee.**

08.19
Decision

Report of the Myerscough Students Union

Corporation gave consideration to the MSU report. The report provided details of fundraising, community and social activities.

Members were appreciative of the information provided, the range of activities and commented on the value of the MSU community links.

Resolved:

That the MSU Report be received.

09.19
Decision

Governors Involvement Strategy

Governors informed Corporation of any involvement they have had with the College since the last meeting.

Barbara Godby had attended a curriculum managers meeting where she observed operational College business across the learning areas and specifically met with Chris Jack the recently appointed General Education manager who led the team delivering maths and English education. She reported on an interesting and engaging meeting giving her some overview of College provision. As members were aware maths and English delivery is highlighted as a challenge to the College. From this visit Barbara fed back that she had received assurance on current delivery and long term strategy. It was noted

that Chris was an internal appointment and due to staff absence had had to continue teaching for an interim period.

Karen Birchall and Ian Higginbotham had attended the inaugural Careers Cafe which had been well attended. Karen had also attended the FE course reps meeting.

The Chair reported on the initiative to eat in Richmond's Restaurant prior to Committee meetings. He commented on the Board being visible. John Morphet had toured the catering facilities.

Jane Booker, safeguarding EDI link had attended a staff refresher safeguarding course and would attend a new staff safeguarding induction session.

The College was celebrating its 125th anniversary this year. Events would be taking place throughout the year with the launch being a photograph and celebratory cake at the FFIT Centre on 25 March to mark the lease of the first farm. Governors were invited to the occasion.

Events were circulated regularly by the Deputy Clerk with Governors welcome to request a bespoke visit. MiKE, the fortnightly staff E-bulletin which is circulated to governors serves as a two way communication strand to promote opportunities from both perspectives.

Resolved:

That the update on Governor Engagement be received.

10.19
Decision

Report of the Audit and Governance Committee 5 February 2019

Corporation gave consideration to the report of the Audit and Governance Committee held on 5 February 2019.

Matter for Decision

The Colleges Senior Postholder Remuneration Code

A draft of the Code had previously been reported to Committee and Corporation.

The Committee had considered the amended Code and how the Code of Good Governance, which Corporation had adopted in 2015, was updated to reflect the changes and recommendation to the Corporation that it be adopted.

Corporation concurred with Audit & Governance Committee recommendations.

Matters for Information

Internal Audit Reports

The Committee had given consideration to two Internal Audit reports.

General Data Protection Legislation (GDPR) - The audit followed up on actions from earlier GDPR and Cyber Security reports. There had been good progress to compliance to GDPR regulations. Corporation noted that from the comprehensive GDPR action Plan five actions were ongoing relating to third party agreements, data storage and retention, policy updates, staff training and an update to the Information Asset registers. Corporation complimented Debbie Clayton, the Colleges Data Protection Officer on excellent work with regard to GDPR initiatives and compliance.

Internal Audit Progress Report - The audit provided an update on progress against the Internal Audit Plan for 2018 / 19. Two assignments had been completed, Procurement Framework Advisory Review and GDPR Review. The Procurement Audit had been added to the programme following a recommendation from the Finance & Resources Committee. Audits on Apprenticeships, the Safeguarding Framework, FE Students Health & Safety whilst conducting Work Experience and the Follow Up would be carried out later in the year. Corporation noted internal audits would be held week commencing 25 March, as such there would not be a meeting of Audit & Governance Committee in April as the reports would not be released in time. Reports would be considered at the July meeting of the Committee.

Internal Audit Progress Report and Summary Report Update

The Committee had expressed satisfaction in progress on the 2017/2018 and 2018/2019 recommendations.

Strategic Risk Management Summary Plan

Two new risks had been identified and added to the register: 1e, 'Breakdown of Myerscough UCLAN Partnership' and 5g, 'Failure to meet ongoing conditions of registration for Office for Students'. These risks recognise the importance of Higher Education within the College strategy. BREXIT was a regular agenda item at senior level.

Data Returns Report

All reports had been submitted on time.

Sub-contractor Arrangements 2018 - 2019

The report had been issued to the Committee as prescribed by the funding body. The budget for this delivery had been approved by Corporation in July 2018. Monitoring of the various activities contributes to the Board's assurance framework. The report provided

detail of numbers enrolled, the funding value, success rates and the reasons for subcontracting the provision. Audit arrangements ensured College complied with ESFA requirements regarding providers who subcontract to a value in excess of £100k funded provision. Members noted the subcontracted provision widened participation and served local community needs.

ESFA Financial Audit November 2018

Members had noted the audit opinion and recommendations arising from the ESFA's Provider Assurance Audit of Myerscough College. The College had been selected as part of the ESFA's annual random sample for 2017/18.

The outcome was overall positive, with the ESFA finding that the final funding claims 2017 / 18 as defined had, 'in all material effects been properly compiled in accordance with the ESFA's funding rules 2017 / 18'.

As members were aware the audit had led to the reclaim of English and maths funding to apprentices of £39k and learning support funding for apprentices of £82k. The reclaim had been included in the accounts for the financial year 2017/18 and the 2018/19 budget.

Instrument and Articles of Governance

The Clerk's review of the Instrument and Articles of Governance would be completed by the June 2019 meeting to which a paper would be submitted with recommendations.

Corporation Vacancies

Reported earlier in the meeting, item 7.19 refers.

Governance Quality Improvement Plan 2018 / 2019

Updates were noted.

Governor Training

The Governor Away Event for 2019 was confirmed as Friday 29 March 2019.

The briefing requested by the Finance & Resources Committee had been held on 28 February 2019.

Resolved:

- 1. That the Amended Code of Good Governance which incorporated the Senior Post Holder Remuneration Code be adopted.**
- 2. That the Matters for Information be received.**

11.19
Decision

Report of the Quality and Standards Committee 26 February 2019

Corporation gave consideration to the report of the Quality & Standards Committee of 26 February 2019.

Before presenting the report the Chair of Quality & Standards Committee congratulated Louise Bell on her appointment as teaching staff governor and extended a warm welcome to her and Debbie Clayton, Support Staff Governor to Quality & Standards Committee.

Irene Ainsworth was appointed as Vice Chair of the Committee for the remainder of the academic year.

The Committee had reviewed performance for the current year as follows:

- **Strategic Plan Progress Report 2017/2018.**
- **Current Year Data:**
- **Further Education (FE)**
- **Higher Education (HE)**
- **Apprenticeship & Skills Further Education (FE)**

The reports included details of strengths, areas for improvement, actions taken / to be taken and impact.

FE - Recruitment targets were being met with attendance at 96%. English and maths / Functional Skills remained challenging. Retention for 14 – 16 year olds was 94%, with attendance at 94% and punctuality at 99%.

The Adult Education Budget was currently below target. Focus on adult learner recruitment was leading to more take-up which was expected to meet the budget target with delivery being in-house. Corporation noted the review of work experience systems under the guidance of a newly appointed Work Experience Manager. Staff involvement in T Level qualifications research and consultation ensured the College was well placed to deliver successfully. Members noted evidence that equality and diversity continued to be promoted throughout the FE curriculum.

HE - As previously reported HE recruitment was challenging with HE full time number below target. This was reflected across the sector. Recruitment to year 1 programmes was above the previous year. Retention was high at 98%, with attendance at 90%. Education Non-Continuation between years 1 & 2 was positive with the 10.1%, figure below the national average of 14% and below the College target of 12%.

There was a strong research action plan in place which included

collaborative projects.

College would remain Teaching Excellence Framework (TEF) 'Gold' and not resubmit as the requirement was to submit at least every two years. TEF metrics remained strong.

Corporation noted discussion of strategies in marketing and HE provision developments against a back drop of increased competition for a smaller pool of national students.

Apprenticeship and Skills the report illustrated overall and timely success anticipated as 75.4% and 71.8%. Whilst overall was slightly below target both were above projected national performances. Whilst performance from last year had improved for the 24 plus age group concern now centred on the 16-18 age range.

The service showed growth in some areas of delivery at a time of national decline but was not expected to reach the £3m budget target.

Corporation noted acknowledgement of the ongoing developments in improving quality in the monitoring and management of apprenticeships overall for both staff and student performance.

Teaching and Learning and Assessment Report

The Vice Principal provided information on changes to lesson observations which were now developmental rather than a straight grade.

To date just over 27% of FE and HE staff had been observed with 22% of A&S and 23% of partnership staff having been observed. 92% of FE/HE Staff had reached the required standard with 73% of A & S staff and 100% of partnership staff.

The main strengths identified were learning methods (42%), learner behaviour (37%) and the use of industry/research practice (21%).

The revised observations had resulted in a lower percentage completed at this time of year but it was anticipated that all staff would be observed a number of times by the end of the academic year. The Committee was assured of the rigour of the new process, which was aligned to the Ofsted process, positive staff feedback and quality judgements.

LANDEX Peer Review Report.

The report was considered as a separate item, minute 14.19 refers.

Quality Improvement Plan (QIP) 2018/2019

Quality & Standards Committee noted the QIP which showed progress against targets. The plan incorporated actions arising from the Landex Peer Review report.

Learner Voice

The Committee had considered the reports on Learner Voice surveys

which provided learner views on induction and Course Representatives meetings. Overall feedback was positive and results fed back to learning areas for action. The data was reviewed at cross college meetings and fed into academic and support self-assessment reports.

Quality Assurance Report

The report outlined robust quality assurance policies and processes that were in place, validated as 'fit-for-purpose' by all awarding bodies.

Strengths and successes were analysed as were concerns and poor performance in an open and positive way.

Equality, Diversity and Inclusion Report

Corporation had considered the draft version at its meeting in December 2018, minute 107.18 refers. At the meeting Corporation had expressed satisfaction with the report structure and information included to date. Corporation had expressed assurance that the College discharged its duties according to the legal framework. Quality & Standards Committee had considered the completed report with additional information added.

Corporation noted the Director of Student Support & Welfare had attended the meeting and discussed various changes and engaged in detailed dialogue with Members which included definitions of the Myerscough Community in terms of Centres and industry and ways to benchmark.

Corporation was made aware of developments in terms of managing safeguarding at the College through attention to staff roles, location and training.

Strategic Risk Register

There had been no additions or amendments since the previous meeting.

Corporation commented on the extra layer of scrutiny on maths and English through a governor engagement visit and were pleased to hear of organised dynamic external networking with other Colleges to develop and share best practice.

There was comment on maximising income at the same time as ensuring quality of delivery and resources promoted the Myerscough brand as a leading College in land-based and sports provision.

Resolved:

That the report of the Quality & Standards Committee meeting held on 26 February 2019 be received.

12.19
Decision

Report of the Finance and Resources Committee 5 March 2019

Financial Regulations Annual Review

Corporation noted that the regulations required a further review and approval in order to implement the new procurement application software being purchased and implemented later in the year.

Changes to the Financial Regulations included:

Payroll procedures - Recognition of the Authorisation to Recruit Panel A2R.

Purchasing Processes - Implementation of proposals following the procurement internal audit. Measures would lead to an increase in circumstances requiring three quotes or formal tender and additional measures in the sign off of all invoices.

Minor changes made related to role titles and referencing.

Members had agreed the changes and commented on the considerable work involved around procurement and restructure of the Finance team and processes.

Training to staff would be rolled out and meetings were being held with budget holders. The new regulations would come into effect in the new financial year and after approval by Corporation.

Corporation concurred with Finance & Resources Committee recommendation for approval.

Matters for information:

The Principals Strategic Plan Progress Report 2018 / 2019.

Financial Position Statement for Period Ended 31 January 2019 including Investments.

Capital Expenditure Report for Period Ended 31 January 2019.

Myerscough Ventures Report for Period Ended 31 January 2010.

The Committee received the regular reports on the various aspects of the College finances for the period ended 31 January 2019.

It was pleasing to note that the finances of the College remained in a healthy state although the current and future budgets were challenging.

The surplus as a percentage of income (pre FRS102) was behind target at -0.1% (3.4% January 2018) although the balance sheet was healthy with a current ratio of 1:1.31 (1:1.25 January 2018) and cash days of 71.7 (61 January 2018).

Turnover was behind profile at £14.82m against a target of £15.37m with the same period last year at £15.10m.

Further Education had recruited to number and income targets. Higher Education recruitment was below target and would fall short of income targets, though recruitment to year 1 programmes was up on the previous year.

The adult classroom based activity was currently under budget but uptake was expected to increase.

Apprenticeship recruitment had levelled and it was expected the area would fall short of income targets despite considerable growth this year.

Staff costs as a percentage of income was 55.7% against a target of 57%.

Income from Myerscough Ventures was £0.531m behind a profile target of £0.623m.

Overall income to date was lower than budget by £559k (3.6%) and behind last year by £280k (1.9%).

Ventures income was £125k (4.3%) below budget.

Direct pay costs were £103k (1.9%) less than budget and £20k lower than the same time last year. This saving was due to staff efficiencies implemented in July 2018 and the ongoing processes to thoroughly review all recruitment arising through natural turnover,

The Farm budget was being closely monitored and to date the gross margin was £45k adverse to budget. The report on the Farm also included a copy of the Farm Improvement Plan which was welcomed by Governors.

The report indicated that the capital plan projects were performing to plan.

The Committee asked various question on the reports, which also reflected information provided the previous week at the Governor Briefing, and sought clarification in some areas for future meetings.

Strategic Risk Register - The Committee had received a report on risks associated with its areas of operation. Members wished to see the inclusion of the Augar Review on post 18 Education included in the register.

College Funding Update - The report outlined the main points of the allocation as follows:

The FE Funding Allocation for 2019/20, including high needs funding but excluding bursaries, was £10,933,504, being £116,928 lower than in the current year.

Within the total FE allocation was a High Needs 'element 2' Funding of

£1,524,000 in respect of 254 learners, this represented an increase of £372,000 and 62 learners, in comparison to the current year. Excluding the positive effect of High Needs Funding the FE allocation is £9,409,504 that is £488,928 lower than in the current year. The principal reason for the reduction was reduced funding for English & maths delivery in the 2017-18 year.

Corporation noted that the reduction in English & Maths funding has been investigated and identified as an error in the ILR Data Returns. College has commenced an appeal for a revised FE 19/20 allocation. Other institutions were in the same position.

Policy on Sub-contracting

Finance & Resources Committee had considered the Subcontractors Policy & Procedures together with the Supply Chain Fees and Charges Policies and Procedures for 2018/2019.

The aim of the policies was to ensure that all subcontracted provision is managed effectively and efficiently, whilst focusing on quality. The College recognises that effective subcontracts provide communities with added value, whilst strengthening the College offer and widening impact. In compliance with ESFA funding rules the policy will be reviewed each year by the Committee.

Corporation concurred with Committee approval in agreeing the Sub-contracting Policies and procedures.

Human Resources for the Period Ending 31 January 2019

The Committee had considered the above report which contained analysis of staff turnover, breakdown analysis of leavers, staff stability index and staff sickness statistics.

The Committee noted that staff turnover at 17.15% was in line with national average, overall staff sickness was at 1.91% an increase from the last quarter of 1.86% although it remained below the national average of 3.12%. There were 4 employees currently on long term sickness absence which was below the target of 6.

Health and Safety Report for the Period Ended 31 January 2019

Members had considered the Health and Safety Report for the period ended 31 January 2019 which included a summary of key strengths, areas for improvement, actions taken and further actions planned.

The number of accidents had risen compared to the same period last year although there was nothing pointing to a significant area of concern. Slips, Trips and Falls remained the main cause of accidents or incidents. Only 6 RIDDOR reportable accidents occurred none of which required further investigation.

Details of audits undertaken and planned were included in the report.

Resolved:

That the Financial Regulations be approved as submitted.

That the matters for information be received

13.19
Decision

College Funding 2019/20

The report was considered by the Finance and Resources Committee at their meeting on 5 March 2019 when they noted the report.

- The ESFA on Friday 1 March published the Further Education Funding allocation of the College for 2019/20.
- The FE Funding Allocation for 2019/20, including high needs funding but excluding bursaries is £10,933,504, being £116,928 lower than in the current year.
- Within the total FE allocation was High needs 'element 2' funding of £1,524,000 in respect of 254 learners, this represents an increase of £372,000 and 62 learners in comparison to the current year.
- Excluding the positive effect of High Needs Funding the FE allocation was £9,409,504 that was £488,928 lower than in the current year. The principal reason for the reduction is reduced funding for English & maths delivery in the 2017-18 year.
- The reduction in English & maths has been investigated and identified as an error in our ILR Data Returns. The College had been in contact with the ESFA and commenced an appeal and will be submitting a business case to evidence the request for a revised FE 19/20 allocation.
- Principalship was working on both short and medium term measures to improve efficiency and attract additional students by expanding the curriculum offer, as presented to Governors 28th February.

The Deputy Principal Finance & Corporate Services will inform the members of Finance & Resources as soon as an outcome to the appeal has been received. The proposed budget for 2019/20 will be

presented to the Finance and Resources Committee at its meeting 2 July 2019 for recommendation to Corporation for approval 16th July 2019. The bursary funding allocation had not yet been received and was important to release the information as soon as possible.

Resolved:

That the report on College Funding 2019/20 be received

That the Chair be authorised to agree the Bursary Policy for 2019 / 2020 when funding is known.

14.19
Decision

Landex Peer Review Report

The Landex Peer Review took place on 14 and 15 November 2018.

The Action Plan following the Peer Review addressed the recommendations contained therein.

Resolved

That the Landex Peer Review Report and Action Plan be received.

15.19
Decision

College Patron

The term of office of the College Patron, Edwin Booth, ends in July 2019.

Edwin had confirmed that he would be willing to continue in office for a further term of office of four years.

Following discussion it was

Resolved:

That Edwin Booth be appointed College Patron for a further term of four years commencing 1 August 2019.

16.19
Decision

Statutory Risk Register

The College Risk Register is divided into 7 registers, that are considered at the Corporations Audit & Governance Committee (3 registers), Curriculum & Quality Committee (1 register) and Finance & Resources Committee (3 registers). Corporation then receives the Highest Risks as a summary report to review and comment as appropriate, in order to enable Corporation oversight of the Highest Risks following presentation of the registers at the Committees.

The highest risks reported to Corporation are those with a residual risk that is classified as Severe or High.

Three risks were graded as "severe":

- Failure to maintain/increase funding from HE activities
- Failure to maintain / increase – ESFA allocation
- Failure to maintain and increase apprenticeships funding either from Levy payers/and or ESFA.

Brexit: The risk register had not been specifically updated to reflect BREXIT risks at this stage, recognising that the UK's departure from the EU 29th March with or without a deal continues to be highly uncertain and rapidly changing.

Identified areas of risk were listed and discussed.

Resolved:

That the Statutory Risk Register be received.

17.19
Decision

Away Event 2019

The Governors Away Event would take place on Friday 29 March 2019 between 9.00am for 9.30am and 4.15pm in the Bowland Suite at the College.

The agenda was discussed and would be circulated prior to the event.

Resolved:

That the update on the Governor Training, "Away Event 2019" be received.

Signed:

Date: